

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13
Felecia N. Harcum, :
Debtor. : Bankruptcy No. 17-10177-MDC

ORDER

AND NOW, upon consideration of the Supplemental Application for Compensation and Reimbursement of Expenses for Services Performed After Confirmation of Chapter 13 Plan (the “Application”)¹ filed by Brad J. Sadek (the “Applicant”), counsel to the Debtor, in which the Applicant requests the allowance of supplemental compensation in the amount of \$1,500.00 for services performed after confirmation of the Debtor’s plan.

AND, the Court having entered an Order on December 19, 2017 (the “Confirmation Order”),² confirming the Debtor’s Amended Chapter 13 Plan (the “Plan”).³

AND, the Application attaches time records reflecting certain time entries that pre-date the entry of the Confirmation Order (the “Pre-Confirmation Time”).

AND, the Application appears to seek compensation for the Pre-Confirmation Time notwithstanding that its stated intent is to seek compensation for services performed after confirmation of the Plan.

AND, upon the Applicant’s certification that proper service has been made on all interested parties.

AND, upon the Applicant’s certification of no response.

AND, the Court of Appeals having held that the bankruptcy court “has a duty to review fee applications, notwithstanding the absence of objections by the United States Trustee . . . , creditors, or any

¹ Bankr. Docket No. 49.

² Bankr. Docket No. 32.

³ Bankr. Docket No. 27.

other interested party, a duty which . . . derives from the court's inherent obligation to monitor the debtor's estate and to serve the public interest," *In re Busy Beaver Bldg. Centers, Inc.*, 19 F.3d 833, 841 (3d Cir. 1994) (emphasis in original).

It is hereby **ORDERED** that:

1. A hearing shall be held on **October 17, 2019, at 11:00 a.m., in Bankruptcy Courtroom No. 2, U.S. Bankruptcy Court, 900 Market Street, Philadelphia, Pennsylvania** (the "Show Cause Hearing"), to consider whether pursuant to 11 U.S.C. §330(a)(2) this Court should award compensation that is less than the amount of compensation that is requested.

2. At the hearing, the Applicant shall be prepared to address the inclusion of the Pre-Confirmation Time in the Application.

3. The Applicant may appear telephonically, *see* L.B.R. 9076-1, if arrangements are made to provide the court with a copy of the written retainer agreement in advance of the hearing.

Dated: September 30, 2019



MAGDELINE D. COLEMAN
CHIEF UNITED STATES BANKRUPTCY JUDGE

Brad J. Sadek, Esquire
Sadek and Cooper
1315 Walnut Street, Suite 502
Philadelphia, PA 19107

William C. Miller, Esquire
Chapter 13 Trustee
P.O. Box 1229
Philadelphia, PA 19105

United States Trustee
Custom House
200 Chestnut Street, Suite 502
Philadelphia, PA 19106-2912